

December 11, 2006

Ex Parte

Ms. Marilyn Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Implementation of Section 621(a)(1) of the Cable
Communications Policy Act of 1984 as amended by the Cable
Television Consumer Protection and Competition Act of 1992 -
MB Docket No. 05-311

Dear Ms. Dortch,

This is a record of my ex parte meeting(s) with [FCC
Commissioners or staff names]. I stated my concerns [directly via
phone or via voicemail] on [date(s)]. My comments are summarized
as follows:

I support the efforts of the Alliance for Community Media in
calling for competition without destruction of local, community
controlled media.

1) Setting 90 days as the limit for contract negotiation for a
city and a provider would be disastrous, and would abolish any
incentive for the provider to consider local needs. Why would
they agree to anything when they would be able to proceed without
an agreement? These mega-corporations already have problems with
negotiating in good faith, given their immense power, and this
would do away with any local incentive to do so.

2) Geographic discrimination would be allowed under this new
ruling. Since these are public -rights-of-way issues, the FCC
should anticipate any market imbalances by providing these three
elements, as outlined by the Alliance for Community Media:

A) A standard for identifying imbalances in service.

B) A party responsible for identifying the imbalance -
logically, the municipality.

C) A means for prevention or remedy of the imbalance.

3) Local communities will be hurt by the proposed reduction in
support for PEG (Public, Education, Government) channels or other
community media services - a reduction from what is now allowed
by current Federal law. It is in direct contradiction to
language authored by telephone companies and already passed in
key states such as California and Texas. And there would be no
demonstrated effect on either subscriber price or level of
competition.

(My additional comment is that the current federal legislation is
too weak to allow new, well-supported PEG access to be
established in most communities. We worked for six years here to
try to convince our City to negotiate for viable PEG access, but
they did not consider it to be a winnable battle without access
to exorbitant resources.)

4) Such changes to the law should be made by Congress, not the
FCC. The FCC should not usurp Congressional authority.

Sincerely,

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CC: Christina Pauze; Chris Robbins; Heather Dixon; Rudy Brioche;
Bruce Gottlieb;
Senators Schumer, Clinton; Rep. J. Sweeney; Rep.-elect K.
Gillibrand